

**REMARKS**

In the Office Action mailed August 23, 2005, the Examiner noted that claims 1-41 were pending, allowed claims 21, 24-27, 29 and 30, and rejected claims 1-20, 22, 23, 28 and 31-41. Claims 1, 4, 6, 8, 10-12, 14-16, 28 and 31-41 have been amended, new claim 42 has been added and, thus, in view of the forgoing claims 1-42 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

On page 2 of the Office Action, the Examiner rejected claims 36 and 41 under 35 U.S.C. § 102 as anticipated by Danisch. Pages 3-11 of the Office Action rejects claims 1-20, 22, 23, 28 and 31-35 and 37-41 under 35 U.S.C. § 103 over Danisch with Krishnamurthy or Shaw.

Danisch discusses a system in which the geometric configuration of the input device can be displayed on a video display. The input device is a set of sensors that can be positioned on a shape measuring tool. The geometric configuration is the actual positions and orientation (twist) of the sensors and is used to sample a shape profile of an object (see figure 1 and col. 9, lines 24-54). The geometric configuration is a sampling of a shape of the object at discrete points of the shape (no points of shape are obtained between the sampling points). Danisch discusses measuring shape. Danisch does not teach or suggest using his device to create or producing a "virtual curve." The Examiner acknowledges that "Danish does not teach producing a smooth virtual curve" (see Action page 3). It is also submitted that Danish does not teach or suggest producing and "controlling" a virtual curve much less an "entire" or all the points of a produced smooth virtual curve (see claims 1, 4, 6, 8, 10-12, 14-16, 28 and 31-41).

The Examiner looks to Krishnamurthy and Shaw for this teaching.

Krishnamurthy is directed to a system that uses one already smooth curve to smooth another curve or surface by moving points on the surface curve relative to the already smooth space curve. Krishnamurthy says noting about producing a smooth curve in the first place. Nor does Krishnamurthy address controlling such a produced smooth curve. Krishnamurthy adds nothing to Danish with respect to the features of the invention discussed above.

Shaw is directed to a system where because of the nature of the system ("real-time) smoothed bicubic surfaces are precluded (see "precludes" page 205). The system allows bicubic surfaces to be designed using a wand or pointing device. The wand allows a user to pint at a control point and move that control point to a desired position. Shaw adds nothing to Danish with respect to the features of the invention discussed above.

It is submitted that the independent claims are patentable over the prior art and withdrawal of the rejections are requested

Claims 18-20 call for controlling an animation system with the flexible input device being used to input a command. The prior art says nothing about this.

It is submitted that independent claims 18-20 are patentable over the prior art. and withdrawal of the rejections are requested

It is submitted that the invention of independent claims distinguishes over the prior art and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 2 calls for the shape of the curve to be dynamically adjustable. The prior art says nothing about this. It is submitted that the dependent claims are independently patentable over the prior art.

New claim 42 emphasizes that all the points of the virtual curve are produced with the relative positions of the flexible tape. Nothing in the prior art teaches or suggests such. It is submitted that this new claim, which is different and not narrower than prior filed claims, distinguishes over the prior art.

It is submitted that claims 21, 24-27, 29 and 30 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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